

FILED

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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2015 DEC 10 10:28
U.S. MAGISTRATE JUDGE
BY _____

UNITED STATES OF AMERICA,

Plaintiff,

vs.

AMANDA MAE SOUTHERN,

Defendant.

Case No.: 2:15-mj-1158-PAL

COMPLAINT for violation of:

36 C.F.R. §4.23(a)(1) -- Operating a Motor Vehicle Under the Influence of Alcohol;
36 C.F.R. §4.23(a)(2) - Operating a Motor Vehicle With a BAC of 0.08 Grams and Higher;
36 C.F.R. §4.21(c) - Speed;
36 C.F.R. §4.2(b) 18 U.S.C. §13 N.R.S. 483.560(1) - Operating with a suspended driver's license;
18 U.S.C. §§ 13, N.R.S. 453.566- Possession of Drug Paraphernalia

BEFORE, the United States Magistrate Judge, Las Vegas, Nevada, the undersigned complainant, being first duly sworn, states:

COUNT ONE

(Operating a Motor Vehicle Under the Influence of Alcohol)

That on or about December 3, 2015, in the State and Federal District of Nevada, within the boundaries of the Lake Mead National Recreation Area, AMANDA MAE SOUTHERN, defendant herein, operated a gray 2003 Cadillac Escalade bearing Arizona registration BPX1540 under the influence of alcohol to a degree that rendered the defendant incapable of safe operation, to wit: AMANDA MAE SOUTHERN operated said motor vehicle along U.S. Highway 93 at what appeared to be a high rate of speed; radar confirmed that this vehicle was traveling 60 miles per hour in a posted at 45 mile per hour; the ranger observed this vehicle nearly make contact with a concrete center median as it attempted to negotiate a curve in the

1 roadway; **AMANDA MAE SOUTHERN** had a moderate odor of an alcoholic beverage on her
2 breath; **AMANDA MAE SOUTHERN**'s eyes appeared glassy and her speech was slurred; her
3 balance was swaying and she had mood swings where she would start crying; **AMANDA**
4 **MAE SOUTHERN** stated that she had consumed "two big Stella Artois beers" and "a glass of
5 wine" prior to driving; **AMANDA MAE SOUTHERN** performed poorly on Field Sobriety
6 Tests; and **AMANDA MAE SOUTHERN** had "Intoxilyzer 8000" test results of 0.149 grams
7 and 0.150 grams of alcohol per 210 liters of breath, respectively; all in violation of Title 36,
8 Code of Federal Regulations, Section 4.23(a)(1).

9 **COUNT TWO**

10 (Operating a Motor Vehicle with a BAC of 0.08 Grams and Higher)

11 That on or about December 3, 2015, in the State and Federal District of Nevada, within
12 the boundaries of the Lake Mead National Recreation Area, **AMANDA MAE SOUTHERN**,
13 defendant herein, operated a gray 2003 Cadillac Escalade bearing Arizona registration
14 BPX1540 with an alcohol concentration in the defendant's breath of 0.08 grams and more of
15 alcohol per 210 liters of breath, to wit: "Intoxilyzer 8000" test results of 0.149 grams and 0.150
16 grams of alcohol per 210 liters of breath, respectively; all in violation of Title 36, Code of
17 Federal Regulations, Section 4.23(a)(2).

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21 **COUNT THREE**

22 (Speed)

23 That on or about December 3, 2015, in the State and Federal District of Nevada, within
24 the boundaries of the Lake Mead National Recreation Area, **AMANDA MAE SOUTHERN**,

1 defendant herein, did operate a gray 2003 Cadillac Escalade bearing Arizona registration
2 BPX1540 at a speed in excess of the speed limit, which is prohibited, to wit: **AMANDA MAE**
3 **SOUTHERN** operated said motor vehicle along U.S. Highway 93 at what appeared to be a high
4 rate of speed; the calibrated radar unit in the Ranger's patrol vehicle showed that said motor
5 vehicle was traveling at 60 miles per hour in a posted 45 mile per hour zone; all in violation of
6 Title 36, Code of Federal Regulations, Section 4.21(c).

7 **COUNT FOUR**

8 (Operating with a Suspended Driver's License)

9 That on or about December 3, 2015, in the State and Federal District of Nevada, within
10 the boundaries of the Lake Mead National Recreation Area, **AMANDA MAE SOUTHERN**,
11 defendant herein, did drive a gray 2003 Cadillac Escalade bearing Arizona registration
12 BPX1540 on a highway or on premises to which the public has access at a time when her
13 driver's license was suspended; all in violation of Title 18, United States Code, Section 13, and
14 Title 36, Code of Federal Regulations, Section 4.2(b), and Nevada Revised Statute, Section
15 483.560(1).

16 **COUT FIVE**

17 (Possession of Drug Paraphernalia)

18 That on or about December 3, 2015, in the State and Federal District of Nevada, within
19 the boundaries of the Lake Mead National Recreation Area, **AMANDA MAE SOUTHERN**,
20 defendant herein, used, possessed with intent to use, drug paraphernalia to plant, propagate,
21 cultivate, grow, harvest, manufacture, compound, convert, produce, prepare, test, analyze, pack,
22 store, contain, conceal, inject, inhale and otherwise introduce into the human body a controlled
23 substance, to wit: a ranger observed a pink glass smoking pipe sitting in plain view in the center
24 console under the radio of the gray 2003 Cadillac Escalade bearing Arizona registration

1 BPX1540 which **AMANDA MAE SOUTHERN** was driving; **AMANDA MAE SOUTHERN**
2 stated that it was a marijuana pipe; all in violation of Title 18, United States Code Section 13
3 and Nevada revised Statute 453.566.

4 Complainant, as and for probable cause, states the following:

5 1. Complainant is a Park Ranger with the National Park Service, Lake Mead National
6 Recreation Area, Clark County, Nevada, and has been employed as a law enforcement officer
7 for approximately 18 years.

8 2. The following information is the result of either complainant's own personal
9 investigation, or has been provided by other law enforcement officers:

10 (a) On December 3, 2015, National Park Service Rangers Stephen Goodman
11 and Warren Schlesinger were on routine patrol as a double unit within the boundaries of the
12 Lake Mead National Recreation Area, Clark County, Nevada.

13 (b) While so engaged, Ranger Goodman observed a gray 2003 Cadillac
14 Escalade bearing Arizona registration BPX1540 traveling southbound along U.S. Highway 93
15 near the intersection with Lakeshore Road at what appeared to be a high rate of speed. The
16 calibrated radar unit in the patrol vehicle confirmed that this vehicle was traveling 60 miles per
17 hour in a posted at 45 mile per hour. While following this vehicle Ranger Goodman observed
18 that it nearly made contact with the concrete center median as it attempted to negotiate a curve
19 in the roadway.

20 (c) Ranger Goodman initiating a vehicle stop at about mile 3.5 along U.S.
21 Highway 93. The driver was identified as **AMANDA MAE SOUTHERN** from verbal
22 information. This was confirmed through the Lake Mead Interagency Communications Center
23 and it was found that **AMANDA MAE SOUTHERN's** Arizona driver's license was
24 suspended.

(d) During this face to face contact with **AMANDA MAE SOUTHERN**, Ranger Goodman detected a moderate odor of an alcoholic beverage on her breath. **AMANDA MAE SOUTHERN's** eyes appeared glassy and her speech was slurred. Her balance was swaying and she had mood swings where she would start crying. **AMANDA MAE SOUTHERN** stated that she had consumed "two big Stella Artois beers" and "a glass of wine" prior to driving.

(e) The following are the results of Field Sobriety Tests which were administered to **AMANDA MAE SOUTHERN**:

1. Horizontal Gaze Nystagmus test - **AMANDA MAE SOUTHERN** eyes lacked smooth pursuit, had distinct and sustained nystagmus at maximum deviation, and showed nystagmus prior to 45 degrees in her left eye.

2. Walk and Turn test - **AMANDA MAE SOUTHERN** stepped off line during the Instruction Phase. During the Walking Phase she missed walking heel to toe, stepped off line, took an incorrect number of steps and did not turn as instructed.

3. One Leg Stand test - **AMANDA MAE SOUTHERN** swayed while balancing, hopped and put her foot down three times during this test.

4. Preliminary breath test/ Alco-Sensor - **AMANDA MAE SOUTHERN's** results of this test were a 0.159 percent by weight of alcohol.


(f) Based on Ranger Goodman's training and experience, **AMANDA MAE SOUTHERN's** poor performance on the Field Sobriety Tests, and physical and objective symptoms of impairment, Ranger Goodman formed the opinion that **AMANDA MAE SOUTHERN** had been operating a motor vehicle while under the influence of alcohol.

(g) **AMANDA MAE SOUTHERN** was transported to the Boulder Beach Ranger Station where Ranger Schlesinger administered an "Intoxilyzer 8000" breath test to **AMANDA**

1 MAE SOUTHERN. The results of the test were 0.149 grams, and 0.150 grams of alcohol per
2 210 liters of breath respectively.

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6 CHRIS RAYNOLDS, Park Ranger
National Park Service

7 SUBSCRIBED and SWORN to before me
8 this 4th day of December 2015.
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11 UNITED STATES MAGISTRATE JUDGE
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